

MEMORANDUM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIANE VON FURSTENBERG STUDIO,
LP, a Delaware limited partnership,
Plaintiff,

v.

TARGET BRANDS, INC., a Minnesota
Corporation; TARGET CORPORATION, a
Minnesota corporation, KANDY KISS OF
CALIFORNIA, INC., a California
Corporation; MILLWORK TRADING
COMPANY, LTD, a New York Corporation

Defendants.

Case No. 08 CV 00866 (CM) (GWG)

**STIPULATED ORDER FOR
PERMANENT INJUNCTION ON
CONSENT FOR KANDY KISS OF
CALIFORNIA, INC.**

Plaintiff Diane von Furstenberg Studio, LP ("DVF") claiming to own the exclusive right, title and interest to the copyright for "DVF Falling Spotted Frog" design ("DVF Design") identified in Paragraphs 19, 20 and 21 and Exhibits A and B of the First Amended Complaint and having commenced this action alleging copyright infringement, unfair competition and related claims against Defendants Target Corporation, Target Brands, Inc. and Kandy Kiss Of California, Inc. ("Kandy Kiss") (Target Brands, Inc., Target Corporation, and Kandy Kiss are collectively referred to as "Defendants") for their alleged infringement of the DVF Design; and

Kandy Kiss, without admitting liability, but wishing to settle the matter by agreeing that Kandy Kiss shall discontinue all use of the DVF Design; and

The parties, having indicated below their consent to the form and entry of this Permanent Injunction and Final Judgment on Consent.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

Kandy Kiss, their affiliates, officers, agents, employees, and all those in active concert or participation with Kandy Kiss, excluding Target Brands Inc. and Target

NY 238,767,406v1 4/21/2008

EXHIBIT A

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/2/08

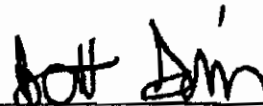
Corporation, shall refrain from the manufacture, reproduction, importation, exportation, preparation, promotion, display, sale, offer for sale, distribution, marketing of the Accused Products and/or goods bearing the DVF Design.

IT IS FURTHER ORDERED, that this Court has jurisdiction over the parties, and the subject matter of the action. This Court shall retain jurisdiction to the extent necessary to enforce this Injunction, and the confidential Settlement Agreement separately entered into between the parties, and to determine any issues that may arise under either.

CONSENTED TO BY PLAINTIFF

DATED: 6/23/08

By

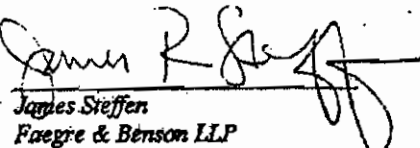

Scott Gelin (SG 9599)
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New York, New York 10166
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*Attorney for Plaintiff
Diane von Furstenberg Studio, L.P.*

CONSENTED TO BY DEFENDANTS TARGET BRANDS, INC. AND TARGET CORPORATION

DATED: 6/24/08

By


James Steffen
Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402

*Attorney for Defendants Target
Brand, Inc. and Target Corporation*

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CONSENTED TO BY DEFENDANT KANDY MISS OF CALIFORNIA, INC.

DATED: 6/26/08

By:


Mark Bruckas
Mark Bruckas Guzman, LLP
21059 Orange Street, Suite 500
Woodland Hills, CA 91367

Attorney for Defendant Kandy Miss
of California, Inc.

SO ORDERED:

DATED: 7/2/08

By:


United States District Judge